

*Berman / J*UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
VARDHMAN SHIPPING PVT LTD.,

Plaintiff,

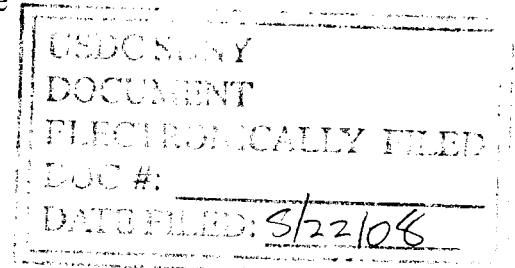
- against -

HERNING SHIPPING AS,

Defendant.
-----X

08 Civ. 3620 (RMB)

ECF Case

**ORDER TO SHOW CAUSE**

Upon the Declaration of Charles E. Murphy, Esq. dated May 20, 2008, and upon the accompanying Memorandum of Law in Support of Order to Show Cause Why Countersecurity Should Not Be Posted By Plaintiff, or, in the alternative, To Vacate Maritime Attachment, and upon all prior proceedings had herein it is hereby:

ORDERED that the Plaintiff VARDHMAN SHIPPING PVT LTD., show cause before this Honorable Court at 500 Pearl Street, ^{COURTROOM 21D} New York, New York, pursuant to Supplemental Admiralty Rule E and Local Admiralty Rule E.1 on the 4th day of ^{June} ~~May~~, 2008, at 11:00 o'clock, or as soon thereafter as counsel may be heard, why an Order should not be entered:

1. Requiring the Plaintiff to provide countersecurity pursuant to Supplemental Admiralty Rule E(7)(a) in the amount of \$1,675,802.60 under the circumstances where Defendant has already posted security in favor of Plaintiff in the amount of \$7,654,605.84;

2. Vacating the ex parte order of maritime attachment, ordering the return from Plaintiff of the bank guarantee posted by Defendant in the amount of \$7,654,605.84, and dismissing this case with prejudice;

3. Granting such other and further relief as this Court deems just and proper in the circumstances.

IT IS FURTHER ORDERED that a copy of this Order and all supporting papers shall be served by email and DHL courier on Michael Unger, Esq., of Freehill Hogan & Mahar, counsel for the Plaintiff, on or before May 27, 2008 **AT NOON.**

IT IS FURTHER ORDERED that any answering papers shall be served in the same manner on attorneys for Defendant, Charles E. Murphy, Esq., of Lennon, Murphy & Lennon, LLC, on or before May 30, 2008 **AT 5:00 P.M.**

IT IS FURTHER ORDERED that reply papers by Defendant, if any, shall be served on attorneys for Plaintiff **by June 2, 2008 AT 5:00 P.M.** ~~prior to the hearing~~ to consider the issues raised in this Order to Show Cause.

Dated: May 22, 2008
New York, New York



RICHARD M. BERMAN, U.S.D.J.

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